



## *CITY OF PLEASANT HILL*

PHONE (925) 671-5209  
FAX (925) 676-1125

[www.ci.pleasant-hill.ca.us](http://www.ci.pleasant-hill.ca.us)

100 Gregory Lane  
Pleasant Hill, CA 94523

### **MAJOR USE PERMIT**

#### **Application Guide**

#### **WHAT IS A MAJOR USE PERMIT?**

The City's Zoning Ordinance classifies uses as either permitted uses, conditional uses or accessory uses. Conditional uses may only be allowed subject to approval of a use permit. The purpose of the use permit procedure is to allow discretionary review by the City of land use proposals which have the potential to adversely affect surrounding uses. The process allows the City to ensure that such uses will be compatible with surrounding land uses and the general public welfare and provides the opportunity for public input regarding these uses.

In reviewing a major use permit application, the Planning Division will consider issues such as building placement and size, traffic generation, parking adequacy, hours of operation, noise, light/glare, and overall compatibility with surrounding properties and will prepare a written recommendation to the Planning Commission in the form of a staff report. Use permit applications that pertain to an existing structure or a portion of an existing structure are considered minor use permits and a separate application guide for such permits is available from the Planning Division.

Based on the staff recommendation and input from any other interested parties, the Planning Commission determines whether the findings necessary to approve or disapprove the use permit can be made. The Commission may also require various conditions of approval to address potential concerns with respect to location, construction, hours of operation, and other neighborhood compatibility factors. Before the Planning Commission makes its final decision, a public hearing is required for any major use permit application.

#### **WHAT ARE THE SPECIFIC REVIEW CRITERIA FOR A MAJOR USE PERMIT?**

The Zoning Ordinance requires the Planning Commission to make positive findings on the following:

1. The proposed use will not be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the proposed use.
2. The proposed use will not be injurious or detrimental to adjacent properties or to property in the neighborhood or to the general welfare of the city; and
3. The proposed use is consistent with the policies and goals established by the general plan.

## WHAT ARE THE STEPS?

- Step 1 Preliminary Review** - Prior to submittal of a formal application, it is recommended that the applicant discuss the preliminary proposal with staff. The staff can, if requested, respond back in writing regarding the project conformity with the Zoning Ordinance, General Plan, environmental and neighborhood concerns which may be involved, applicable site planning, building design, landscaping, and other criteria, and application fee requirements.
- Step 2 Filing the Application** - Application for a major use permit should be made on the Planning Division's Application for Development Review form. The application form must be accompanied by the additional supporting materials specified by the Planning Division including plans, drawings, and other project description information necessary to permit adequate review of the proposed action. A deposit will be required for each major use permit application. A Planning Division staff member will be assigned to review the application materials for completeness. Additional information may be required as staff review of the project progresses.
- Step 3 Environmental Review** - Major use permit applications must go through the City's Environmental Review Process. After submittal of a completed Environmental Information Questionnaire by the applicant, an Initial Study will be completed by the Planning Division that consists of a preliminary evaluation of project relationships to the General Plan and Zoning Ordinance and its potentials for significant adverse environmental effects. If the Initial Study indicates no potential for significant environmental effects, a Negative Declaration (a brief statement describing why an environmental impact report is not required) will be recommended for Planning Commission approval. If, on the other hand, the Initial Study indicates that significant adverse environmental effects may occur, preparation of focused studies or an EIR may be required for Planning Commission approval.
- Step 4 Planning Commission Review** - The Planning Commission is required to hold at least one public hearing on the use permit application. At least 10 days prior to the hearing, a notice will be mailed to all property owners and residents within 300 feet of the proposed use.

Following completion of required environmental documentation, the Planning Division will prepare a staff report which includes: (1) a description of the proposal; (2) a summary of its relationship to relevant General Plan and Zoning Ordinance provisions, as well as its environmental, land use, traffic, and other implications; and (3) related staff recommendations with respect to project approval. A copy of this report will be sent to the applicant during the week preceding the Planning Commission hearing. Copies will also be available for public review at the Planning Division.

At the public hearing, the staff will present its report and recommendations. Testimony from the applicant and other interested persons will also be permitted. The Planning Commission may then close the public hearing and make a decision to

approve or conditionally approve the request, deny the request, or may postpone the decision and continue the public hearing to a later date so that more information can be provided. After a Planning Commission decision is made, that decision will become final 10 days from the date that a notice of decision is mailed by the Planning Division unless an appeal is filed as described below.

**Step 5** Architectural Review - Following Planning Commission approval of the request, most major use permit applications involving construction are also subject to the City's site plan and architectural review requirements. The Architectural Review Commission has a separate application guide that can be obtained from the Planning Division. Applicants are encouraged to apply for all approvals at the time of their original application to allow concurrent processing.

**Step 6** Building Permit Issuance - After the appeal period for Planning Commission and Architectural Review Commission approvals has elapsed, and all application approval requirements and related ordinances have been satisfied, the Chief Building Official may issue a Building Permit for the project if one is required. The Building Official will then work to ensure that the project is completed in compliance with all permits, approved plans and related conditions.

**Step 7** Business License - When the Planning Commission approves a major use permit, the applicant shall wait 10 calendar days from the date the notice of decision is mailed to apply for a Business License, thus allowing the appeal period to lapse. If an appeal has not been filed, then the applicant should apply and pay the necessary fee to the Finance Department for a Business License.

## **WHAT MUST BE SUBMITTED?**

All submittal information required in the General Submittal Requirements Checklist shall be provided, including the Application for Development Review form and related fees, before the application can be accepted as complete. Within 30 days of application submittal, the applicant will be notified in writing that the application is complete or that additional information is required.

## **MAY A DECISION BE APPEALED?**

Anyone who is dissatisfied with the decision of the Planning Commission may appeal that decision to the City Council. To appeal, a written statement and filing fee must be filed with the Planning Division within 10 days after the mailing of the notice of decision. A public hearing will then be set before the City Council to consider the appeal. If no appeal to a decision is filed within the appeal period, the decision will be considered final.

## **WHEN DOES THE PLANNING COMMISSION MEET?**

The Planning Commission meets on the second and fourth Tuesday of every month. These meetings commence at 7:30 p.m. and are held in the Council Chambers of the City Hall.